

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
AT NASHVILLE**

GREG ROSS,)	
)	
Plaintiff,)	
)	No. 3:09-cv-01196
v.)	Judge Campbell
)	Magistrate Judge Knowles
STATE FARM FIRE AND CASUALTY)	
COMPANY,)	
)	
Defendant.)	

**PLAINTIFF'S MOTION TO ALTER OR AMEND ORDER GRANTING
SUMMARY JUDGMENT TO DEFENDANT**

Pursuant to Rule 59(e) of the Federal Rules of Civil Procedure, Plaintiff, Greg Ross, hereby moves the Court to alter or amend its Order and Memorandum entered December 17, 2010 which granted Defendant State Farm Fire and Casualty Company, summary judgment dismissing Plaintiff's claims for breach of contract and violation of the Tennessee Consumer Protection Act. The December 17, 2010 Order was a clear error of law resulting in manifest injustice to Plaintiff. Therefore, it is properly set aside under Federal Rule of Civil Procedure, Rule 59(e).

In support of this Motion Plaintiff relies upon its Memorandum in Support filed simultaneously with this Motion.

Respectfully submitted,

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/s/ J. MICHAEL CLEMONS

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CERTIFICATE OF SERVICE

I hereby certify that on the 23rd day of December, 2010, a copy of the foregoing was filed electronically. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt. All other parties will be served by regular U.S. mail, first-class postage prepaid. Parties may access this filing through the Court's electronic filing system.

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s/ J. Michael Clemons

J. Michael Clemons